

May 2018

Procedures for the Development and Coordination of American National Standards

***Accredited Standards Committee:
Material Handling Committees
(ASC MHC)***



Foreword

Accredited Standards Committee Material Handling Committees (ASC MHC) is an accredited developer of American National Standards (ANS) within its American National Standards Institute (ANSI) approved scope.

This procedures document relies heavily on the companion ANSI document *ANSI Essential Requirements: Due Process Requirements for American National Standards* (available at www.ansi.org/essentialrequirements and referred to in this document either as Essential Requirements or as ER). It is strongly recommended that the reader obtain the ANSI document to support the full understanding of the ASC MHC procedures.

ASC MHC originally followed ANSI default procedures for the committee process in the document *ANSI Procedures for the Development and Coordination of American National Standards* until those procedures were eliminated in favor of *ANSI Essential Requirements: Due process requirements for American National Standards* in 2003. This document borrows heavily from the original procedures document and in particular Annex A from that document that refers to the Committee process. Although the words "Committee Process" are not contained in the ANSI Essential Requirements document, all ASC MHC standards follow the committee process for developing a consensus body.

MHI serves as the MHI Standards Administrator for ASC MHC. Any questions or comments should be addressed directly to the Standards through email at standards@mhi.org.

The voluntary standards system in the United States consists of a large number of standards developers that write and maintain one or more national standards. Among them are professional societies, trade associations, and other organizations. Thousands of individuals, companies, other organizations (e.g., labor, consumer, and industrial) and government agencies voluntarily contribute their knowledge, talent, and effort to standards development.

Many standards developers and participants support ANSI as the central body responsible for the identification of a single, consistent set of voluntary standards called American National Standards. ANSI approval of these standards is intended to verify that the principles of openness and due process have been followed in the approval procedure and that a consensus of those directly and materially affected by the standards has been achieved. ANSI coordination is intended to assist the voluntary system to ensure that national standards needs are identified and met with a set of standards that are without conflict or unnecessary duplication in their requirements.

ANSI is the U.S. member of non-treaty international standards organizations such as the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC) through the United States National Committee, the Pacific Area Standards Congress (PASC), and the Pan American Standards Commission (COPANT). As such, ANSI coordinates the activities involved in U.S. participation in these groups.

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Approved by ANSI May 29, 2018

ASC MHC Procedures for the Development and Coordination of American National Standards

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ASC MHC Procedures for the Development and Coordination of American National Standards

1 General

These procedures constitute the ASC MHC method of developing evidence of consensus for the approval, reaffirmation, revision, or withdrawal of American National Standards by utilizing the accredited committee process of developing a consensus body. In addition to complying with the requirements for accreditation, ASC MHC fully adopts ANSI's document *ANSI Essential Requirements: Due process requirements for American National Standards* (Essential Requirements) at www.ansi.org/essentialrequirements.

In order to protect MHI and ASC MHC member bodies from liability that might arise from any of their participation in the development of standards that are either unduly restrictive or permissive and to provide for the use of uniform procedures in standards setting activities, it is hereby declared to be the policy of MHC that:

- a) ASC MHC shall not engage in standards setting activities unless such activities are conducted in full compliance with these procedures and the Essential Requirements.
- b) ASC MHC shall not make as a condition of membership eligibility or continuing membership that an applicant or member comply with any standard. In addition, ASC MHC shall not require its members to submit to a certification program to confirm compliance with a standard as a condition of membership.
- c) ASC MHC shall submit to the MHI Standards Administrator's General Counsel all proposed standards prior to their completion and publication to determine whether the proposed publication must be treated as a standard for purposes of this Statement of Policy.
- d) ASC MHC shall decide whether a proposed standard is to be copyrighted. If the decision is to copyright the finished publication, the MHI Standards Administrator's General Counsel should be contacted to handle the necessary documentation and filing.

2 Standards project initiation or termination

The decision to initiate development of a standards project starts with ASC MHC members, subcommittees, work groups or the officers. When it is first recognized that the work of any of these groups is intended to result in the development of a new standard, revision/reaffirmation/withdrawal of an existing standard, or termination of an existing project, written notification shall be given to the MHI Standards Administrator. The MHI Standards Administrator shall then determine whether the standard may be in conflict with any existing ANS and shall make good faith efforts to resolve any potential conflicts through coordination/harmonization as prescribed in the Essential Requirements. If no such conflict exists, the MHI Standards Administrator shall then send a ballot to the Consensus Body for approval of the action. Upon approval, the MHI Standards Administrator shall submit the appropriate project initiation or termination notice to ANSI for listing in Standards Action.

At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form, or its equivalent, for announcement in Standards Action. A PINS form may be submitted, but is not required, at the initiation of a project to reaffirm an American National Standard.

A statement shall be submitted and published as part of the PINS announcement that shall include:

- a) an explanation of the need for the project, including, if it is the case, a statement of intent to submit the standard for consideration as an ISO or ISO/IEC JTC-1 standard; and
- b) identification of the stakeholders (e.g., telecom, consumer, medical, environmental, etc.) likely to be directly impacted by the standard.

If the response to sub-section (b) changes substantively as the standard is developed, a revised PINS shall be submitted and published.

ASC MHC adopts by reference the following provisions in Essential Requirements:

- a) 2.5.1.1 PINS Exceptions

- b) 2.5.1.2 Assertions of conflict or duplication
- c) 2.5.1.3 PINS Deliberation Report

3 Consensus body structure – committee process

3.1 Consensus body responsibilities

Consensus bodies shall be responsible for:

- a) Proposing ANS within their scope;
- b) Voting on approval of proposed ANSs within their scope;
- c) Maintaining the developed standards in accordance with these procedures and Essential Requirements;
- d) Adopting policy and procedures for interpretations of standard(s);
- e) Responding to requests for interpretations of the standard(s) developed by the consensus body;
- f) Adopting ASC MHC procedures and revisions thereof;
- g) Other matters requiring consensus body action as provided in these procedures

3.2 Subcommittees and work groups

Each ASC MHC committee may establish subcommittees or work groups for the purpose of expediting the work of the consensus body. Subcommittees and work groups are generally responsible for drafting proposed standards, drafting responses to comments, drafting positions on international/national standards, and performing other advisory functions for the consensus body.

The formation or dissolution of ASC MHC subcommittees or work groups may be established or dissolved subject to full committee majority approval. Subcommittees shall establish a written scope of work, and should establish their own written procedures. Subcommittee actions are advisory only, to be treated as recommendations for consideration by the consensus body. Each consensus body may also establish work groups to concentrate on more focused, short term tasks that do not justify formation of a subcommittee.

The chair and vice-chair of a subcommittee or work group shall either be appointed by the chair of the consensus body or recommended for approval by the subcommittee or work group. These officers shall be confirmed by majority vote of the consensus body.

The scope, duties, and membership of all subgroups shall be reviewed at least once a year, typically in conjunction with the committee's annual meeting. The officers of a subgroup need not be members of the consensus body.

3.3 Officers

ASC MHC committees shall be a chair, and optionally a vice-chair, elected or appointed from the consensus body according to committee specific procedures. The vice-chair may carry out the chair's duties if the Chair is temporarily unable to do so. If neither the chair nor the vice-chair are temporarily able to carry out their duties, then the MHI Standards Administrator may appoint an acting chair, subject to approval by the officers. If the vice-chair position becomes vacant, the chair may appoint a vice-chair to serve the remainder of the term.

3.4 MHI Standards Administrator

The MHI Standards Administrator shall be responsible for the following:

- a) Applying for ASC MSC accreditation by ANSI and maintaining accreditation in accordance with ANSI requirements, including submission of the consensus body roster;
- b) Overseeing the consensus body's compliance with these procedures;
- c) Maintaining a consensus body roster and a list of standards for which the consensus body is responsible;
- d) Performing administrative work, including secretarial services; preparation of meeting notices and the handling of meeting arrangements; preparation and distribution of meeting agendas, minutes, ballots, and draft standards; and maintenance of adequate records;

- e) Submitting candidate standards approved by the consensus body, with supporting documentation, for ANSI review and approval as American National Standards;
- f) Performing other administrative functions as required by these procedures;
- g) The administrative MHI Standards Administrator shall provide a written agreement to ANSI defining explicit division of these responsibilities if composed of more than one organization (i.e., co-MHI Standards Administrators).

Inquiries relating to the ASC MHC should be directed to the MHI Standards Administrator, and members should so inform individuals who raise such questions. All replies to inquiries shall be made through the MHI Standards Administrator.

3.5 Consensus body membership

Members of each ASC MHC consensus body shall consist of organizations, companies, government agencies, individuals, etc., having a direct and material interest in the activities of the consensus body. The selection and addition of members, along with their interest category, shall be subject to approval by a majority vote of the consensus body after the application has been processed. There is no set term for membership. The termination of members shall be subject to approval by majority vote of the consensus body after a review of the membership in accordance with Clause 3.4.

3.6 Member balance and dominance

All appropriate interests that are directly and materially affected by the standards activity of ASC MHC committees shall have the opportunity for fair and equitable participation without dominance by any single interest category, individual or organization. ASC MHC Committees shall establish and revise interest categories subject to majority vote. The rationale for the selection of categories shall be included in the consensus body ballot. To maintain an appropriate balance of interests, no interest category may compose more than one-third of the voting consensus body. Each committee member shall propose their own interest category as appropriate and in accordance with the consensus body's established categories. The set of approved interest categories and tally of members in each category shall be maintained by the MHI Standards Administrator and included in the Committee rosters.

3.7 Application for membership

A request for membership on the consensus body shall be addressed to the MHI Standards Administrator and shall indicate the applicant's direct and material interest in the committee's work, qualifications, willingness to participate actively, and whether they wish to be a participating voting member (type "P") or as an observer member (type "O"). If the applicant is an organization, company, or government agency, it shall identify a primary representative (referred to in ASC MHC as "delegate") and an alternate delegate, if desired. The applicant shall also select an interest category as defined in these procedures.

Membership applications that are deemed complete and appropriate by the MHI Standards Administrator shall be submitted to the consensus body for majority vote. In recommending appropriate action to the consensus body on applications for membership, the MHI Standards Administrator shall consider the:

- a) Need for active participation by each interest;
- b) Potential for dominance or imbalance by a single interest category;
- c) Extent of interest expressed by the applicant and the applicant's willingness to participate actively;
- d) The representative identified by the applicant organization, company, or government agency.

If distinct divisions of an organization demonstrate independent interests and authority to make independent decisions in the area of the activity of an ASC MHC committee, each is permitted to apply for membership.

When appropriate, the MHI Standards Administrator may recommend that the applicant seek representation through an organization that is already a member and represents the same or similar interest.

3.8 Representing multiple organizations

Generally, no representative shall have more than one vote. However, if two or more organizations appoint the same individual to represent each of them, that individual may cast a separate vote for each organization represented. The organizations shall confirm in writing to the MHI Standards Administrator that they are aware of

and will accept the results. Additionally, representation of more than one organization by the same individual shall require approval by a majority of the consensus body, excluding the vote of that individual.

3.9 Review of membership activity

ASC MHC members are expected to fulfill obligations of active participation. Where a member is found in habitual default of these obligations, the MHI Standards Administrator shall direct the matter to the consensus body for appropriate action, which may include change of membership type or termination of membership. MHC members are initially classified as either active voting members (given a P designation) or as non-voting, observer members (given an O designation) upon acceptance into a Committee according to the member's request and subject to Committee approval. Members holding a P designation may become O members by sending a request to the MHI Standards Administrator. Active voting members may be moved to inactive observer status if they do not meet a committee's criteria for maintaining active voting status (criteria is in appendices).

3.10 Changes to member representatives

Members shall notify the MHI Standards Administrator in writing when delegates (principle voter, or representative in the case of observer members) or alternates have left their organization, should no longer be representing their interests on the committee, or should be replaced. If a delegate can no longer serve, the alternate delegate will automatically become delegate until written notice is received from the member, naming new representatives. If both a member's delegate and alternate delegate positions remain unfilled for a period of 60 days, the MHI Standards Administrator shall attempt to consult with the member to name replacements. If no replacement is named within another 60 days, the member may be administratively removed.

3.11 Observers and individual experts

Individuals and organizations having an interest in a ASC MHC committee's work may request listing as observers. The consensus body may also select individual experts to assist it. Individual experts shall serve for a renewable term of one year and shall be subject to approval by vote of the consensus body. Observers and individual experts shall be advised of the committee's activities, may attend meetings, and may submit comments for consideration, but shall have no vote.

3.12 Membership roster

The MHI Standards Administrator shall maintain current and accurate consensus body rosters and shall distribute them to the members and their consensus body representatives at least annually and otherwise on request. The roster shall include the following:

- a) Title of the committee and its designation;
- b) MHI Standards Administrator: name of organization, name of MHI Standards Administrator, and address(es);
- c) Officers: chair and vice-chair;
- d) Members: name of organization or agency, its representative and alternate (as applicable), addresses, and business affiliations; or name, address, and business affiliation of individual member(s);
- e) Interest category of each member;
- f) Tally of interest categories: total of voting members and subtotals for each interest category;
- g) Subcommittees: title and chair. Subcommittees shall maintain and distribute their own rosters.

The MHI Standards Administrator shall review the membership roster annually to evaluate balance and active participation.

4 Meetings

Committee meetings shall be held, as decided upon by the consensus body, the chair, the MHI Standards Administrator, or by petition of five or more members, to conduct business, such as making assignments, receiving reports of work, considering draft standards, resolving differences among subgroups, and considering views and objections from any source. Meetings of subgroups may be held as decided upon by the members or chair of the subgroup.

4.1 Open meetings

Meetings of MHC Committees and all subordinate bodies shall be open to all members and others having a direct and material interest. Consensus body members shall receive at least four weeks' notice of scheduled meetings. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The MHI Standards Administrator may maintain a mailing list of other interests.

4.2 Quorum and proxies

A majority of the members of the consensus body shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions shall only be taken subject to subsequent confirmation by letter ballot or vote at a future meeting. Committees may use proxies to help develop a quorum if a proxy policy and form have been approved by at least two-thirds of the consensus body. The proxy shall be valid only for a specific meeting, signed only by the delegate or alternate delegate for the member organization, and shall appoint a specific individual as designee for the consensus body member (the chair of the consensus body shall be named by default on the proxy form). The proxy allows an individual to represent the organization as if the delegate or alternate of that organization was present at the meeting. If a consensus body member submits a proxy, but is subsequently represented at the meeting by the delegate or alternate, then the proxy shall be voided.

5 Balloting

Ballots shall be recorded in accordance with the procedures outlined below.

5.1 Authorization

A letter ballot shall be authorized by any of the following:

- a) Majority vote of those present at a consensus body meeting;
- b) The chair;
- c) The MHI Standards Administrator;
- d) Petition of five or more members of the consensus body.

5.2 Ballot positions and comments

Except in regard to ballots on membership and officer-related issues, each member shall vote one of the following positions:

- a) Affirmative;
- b) Affirmative, with comment;
- c) Negative, with reasons (the reasons for a negative vote shall be given and if possible should include specific wording or actions that would resolve the objection);
- d) Abstain.

Comments should be submitted on the ASC MHC form distributed with the ballot for ease and accuracy of comment entry and consolidation.

For votes on membership and officer-related issues, the affirmative/negative/abstain method of voting shall be followed. Votes with regard to these issues need not be accompanied by reasons and need not be resolved or circulated to the consensus body.

5.3 Balloting period

The balloting period for letter ballots shall end a minimum of two weeks and a maximum of six weeks from the date of issue or as soon as all ballots are returned, whichever comes first. The balloting period duration shall be determined by the chair (or optionally the vice chair) or MHI Standards Administrator. An extension may be granted at the chair's option, when warranted. Appropriate follow-up action should be taken by the MHI Standards Administrator. An extension may be granted at the MHI Standards Administrator's or chair's option, when warranted.

5.4 Criteria for approval

The following actions require approval by a majority of the membership of the consensus body by letter ballot:

- a) Confirmation of officers appointed by the MHI Standards Administrator;
- b) Formation of a subgroup, including its procedures, scope, and duties;
- c) Disbandment of subgroups;
- d) Addition of new consensus body members and designation of their interest categories;
- e) Approval of withdrawal of an existing standard.

The following actions require a ballot with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions:

- a) Adoption of ASC MHC or specific committee procedures, interest categories, or revisions thereof;
- b) Approval of a new standard or reaffirmation of an existing one;
- c) Approval of revision or addendum to part or all of a standard;
- d) Approval for submission to ANSI of change of committee scope.

An alternate's ballot will only be counted if the delegate fails to submit a ballot.

5.5 Balloting for committees other than consensus body

MHC proposed standards are typically developed at the subcommittee or work group level. These groups develop internal consensus regarding the proposed standards according to their own separately developed procedures. Upon approval at the subcommittee or work group level, they shall provide the MHI Standards Administrator with a copy of the proposed standard, a voting summary, and a recommendation for the proposed standard's approval by the consensus body. The MHI Standards Administrator will ballot the proposed standard within the consensus body, providing the subcommittee or working group's recommendation.

5.6 Public review and coordination

Proposals for new American National Standards and proposals to revise, reaffirm, or withdraw approval of existing American National Standards shall be transmitted to ANSI using the BSR-8 form, or its equivalent, for listing in *Standards Action* in order to provide an opportunity for public comment. At the option of the standards developer, public review may be concurrent with balloting. BSR-8 forms can be submitted online using the e-mail address psawebforms.ansi.org.

MHC Committees shall coordinate with any appropriate USA Technical Advisory Group(s) and/or organizations with which it has formal liaisons regarding any proposed new, revised, or reaffirmed standards.

Non-members who have a direct and material interest in the standard have an opportunity to participate in the review of the standard during the public review process, as announced in *Standards Action*. Their deadline to respond shall be the same as the comment deadline announced in *Standards Action* unless an extension of up to 30 days has been requested by the commenter and granted by the Standards Administrator.

5.7 Disposition of public review and committee comments

When the balloting has been closed, the MHI Standards Administrator shall forward the ballot tally to the Committee officers and the chair of any developing subgroup. The chair of the subgroup shall determine whether the expressed views and objections shall be considered by correspondence or at a meeting.

Prompt consideration shall be given to the written views and objections of all participants. In connection with an objection articulated during a public comment period, or submitted in connection with a vote, an effort to resolve all expressed objections shall be made, and each objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefore.

Following all attempts at resolution of comments, those submitting comments shall receive a report of the disposition of all comments containing the name of the commenter, the clause, the comment and the resulting committee response. If any of these changes are deemed as substantive, they shall be clearly identified as such. An attempt will be made at resolution of all comments.

If resolution is not achieved, the objector shall be informed in writing (may use electronic communication) that an appeals process exists using the ASC MHC appeals procedures. In addition, each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved shall be reported to the BSR. An objection is considered resolved when a negative vote cast by a member of the consensus body or a comment submitted as a result of public review where the negative voter agrees to change his/her vote or the negative commenter accepts the proposed resolution of his/her comment.

Any comments received subsequent to the closing of the public review and comment period may be considered as part of the current disposition process or shall be considered in the same manner as a new proposal. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal and will generally be considered during the next review cycle. The submitter of the comments shall be so notified.

Unresolved objections, attempts at resolution, and any substantive change (see Essential Requirements Annex A for definition of substantive change) made in a proposed American National Standard shall be reported to the consensus body in order to afford all members an opportunity to respond, reaffirm, or change their vote within 30 days. Substantive changes made in a proposed American National Standard shall be listed in *Standards Action* in accordance with Essential Requirements, Section 2.5.

5.8 Recirculation and new ballot options

If a previous round of balloting results in any substantive changes, voting members shall be sent a recirculation ballot and a summary regarding the extent of changes that were made, including identification of any substantive changes. If any voting members do not respond to the recirculation ballot, then their ballots from the previous round of balloting shall carryover to the current round of ballots. If balloting results in substantial changes (e.g. many sections moved/rearranged, many additions or deletions, etc. that interfere with understanding the changes), then the MHI Standards Administrator (in consultation with the developing subgroup chair) may determine that the resulting new version of the standard should be treated as a new proposal. In this case, the previous balloting results may be discarded in favor of a new set of ballots with no carryover of votes from the most recent ballot to the current ballot. If this action is taken, the cover letter, the ballot and any reminders shall clearly state that previously cast votes will be discarded in favor of the response on the current ballot.

6 Submittal of proposed standard for approval

Upon completion of committee and public review, disposition of views and objections, and for appeals, the proposed standard may be submitted to ANSI for approval using ANSI's BSR-9 or equivalent form.

The information to be supplied to ANSI shall include:

- a) title and designation of the proposed American National Standard;
- b) indication of the type of action requested (that is, approval of a new American National Standard or reaffirmation, revision, or withdrawal of an existing American National Standard);
- c) a declaration that applicable procedures were followed;
- d) a declaration that the proposed standard is within the scope of the previously registered standards activity;
- e) a declaration that conflicts with another American National Standard have been addressed in accordance with these procedures;
- f) a roster of the consensus body that indicates: the vote of each member including abstentions and unreturned ballots, if applicable; the interest category of each member; and a summary thereof;
- g) a declaration that all appeal actions related to approval of the proposed standard have been completed;
- h) a declaration that the criteria contained in the ANSI patent policy have been met, if applicable; and
- i) identification of all unresolved negative views and objections, with names of the objector(s), and a report of attempts toward resolution.

If the MHI Standards Administrator does not submit the proposal to ANSI within a reasonable period of time, any member(s) of the consensus body may make the submittal.

7 Withdrawal of an existing ANS

The recommendation for the withdrawal of an existing ANS shall be put to vote in accordance with the procedures and affirmed by the MHI Standards Administrator.

7.1 Discontinuance of a standards project

MHI may decide to abandon the processing of a proposed new or revised American National Standard or portion thereof at its own discretion. MHI shall notify ANSI immediately of such actions.

8 Appeals

The right to appeal actions or inactions at any point in the standards development process shall be incorporated into written communications at all stages of the development process.

Persons who have directly and materially affected interests and who have been or may be adversely affected by a procedural action or inaction of the consensus body or the Developer shall have the right to appeal to MHC Committees with regard to the development of a proposed American National Standard or the revision, reaffirmation, or withdrawal of an existing American National Standard.

A standards developer may choose to offer an appeals process to address appeals on other than procedural issues. Procedural complaints include whether a technical issue was afforded due process. The burden of proof to show adverse effect shall be on the appellant. Appeals of actions shall be made within reasonable time limits; appeals of inactions may be made at any time.

Appeals shall be directed to the MHI Standards Administrator for the action or inaction in accordance with the appeals procedures below:

8.1 Fee

A fixed fee of \$500 shall be charged for procedural appeals. Requests for fee waivers or reductions shall be directed in writing to the committee MHI Standards Administrator. Such requests shall be accompanied by supporting reasons for the request (hardship, anticipated workload, etc.).

8.2 Complaint submitted to MHI

The appellant shall file a written complaint to the MHI Standards Administrator within 30 days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the clause(s) of these procedures or the standard that is at issue, actions or inactions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

8.3 Response

Within 30 days after receipt of the complaint, the chair or MHI Standards Administrator shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

8.4 Hearing

If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the MHI Standards Administrator shall schedule a hearing (in person or by teleconference) with an appeals panel on a date agreeable to all participants, giving at least 10 working days notice.

8.5 Appeals panel

The appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent.

8.6 Conduct of the hearing

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the consensus body and the MHI Standards Administrator took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and

members of the appeals panel may address questions to individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

8.7 Decision

The appeals panel shall render its decision in writing to the appellant within 30 days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence presented to the appeals panel. The appeals panel's decision shall be provided to the appellant. Consideration shall be given to the following positions, among others, in formulating the decision:

- a) Finding for the appellant, remanding the action to the consensus body or the MHI Standards Administrator with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b) Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
- c) Finding that new, substantive evidence has been introduced, and remanding the entire action to the consensus body or MHI Standards Administrator for appropriate reconsideration.

9 Requests for Interpretation of or changes to standards

ASC MHC and the associated consensus bodies, subcommittees or work groups do not render interpretations of any standards or specifications, but will consider any comments or suggested changes. ANSI also does not provide interpretations and shall refer any inquiries to appropriate standards developers.

Suggested changes are accepted for possible adoption in future versions of its standards. Comments and requests for changes shall only be considered in response to a written request sent to the MHI Standards Administrator, either in hard copy format or by e-mail (standards@mhi.org):

Comments and change requests must be submitted utilizing the following format:

- a) **Designation:** Cite the standard designation and the date of ANSI approval;
- b) **Subject:** Cite the portion(s) of the standard subject to the change request;
- c) **Issue:** Clearly and concisely state the issue that needs to be addressed (e.g. do values need to be changed, are editorial changes needed, is additional explanation needed, or do requirements need to be added/dropped?);
- d) **Suggested revision:** Optionally state suggested changes to the standard.

Requests which are not submitted in this format shall be returned to the submitter by the MHI Standards Administrator, along with information on how to submit the requests in the proper format.

The MHI Standards Administrator shall maintain a log of all change requests received for an ANS so they may be considered during the next revision cycle.

10 National adoption of ISO or IEC Standards as American National Standards

If a committee wishes to adopt an ISO or IEC standard as an American National Standard, they shall comply with the requirements set forth in *ANSI Procedures for the National Adoption of ISO or IEC Standards as American National Standards* (available on the ANSI website).

11 Metric policy

MHI standards development activities shall utilize the following metric policy.

11.1 Units

Units of the International System of Units (SI), the modernized metric system, are the preferred units of measurement in American National Standards. All standards will contain appropriate International System of Units (SI) units for each measure accompanied by units.

U.S. Customary units may be the primary unit following a value, but an SI equivalent value and unit shall follow the U.S. Customary value and unit. For example, a measurement of twelve inches may be shown as 12 in. (304.8 mm).

11.2 Conversion

U.S. Customary measurements may be converted by hard or soft conversion.

11.2.1 Hard conversion (size substitution)

A hard conversion involves converting U.S. Customary units into nonequivalent metric units, possibly significantly changing the measure. A hard conversion actually requires physical change to match a rounded metric value (e.g. a two quart measurement may be hard converted into two liters). Hard conversion is used to simplify the measurement and use SI values that are functionally equivalent. Hard conversion may also be referred to as size substitution.

Hard conversions shall be identified with the words “hard conversion” following the conversion value. For example, a measurement of two quarts, hard converted to two liters may be shown as 2 qt. (2 L, hard conversion).

Whenever any hard conversion is contained in a standard, the standard shall contain an explanation of the term “hard conversion”. The following is suggested language to be contained in a standard regarding hard conversions:

hard conversion: the process of converting U.S. Customary units into nonequivalent metric units, possibly significantly changing the measure. Hard conversion is used to simplify the measurement and use standardized metric measures that are functionally equivalent. Hard conversion may also be referred to as “size substitution.”

11.2.2 Soft conversion (rational equivalents)

A soft conversion recalculates the measure in metric terms (e.g. an item with a 12 in. measurement does not change size, but is measured as 304.8 mm).

Soft conversions may also be made as rational equivalents. A rational equivalent conversion rounds a measurement to the nearest appropriate metric rounded value without significantly changing the value. For instance, the rational equivalent for a 12 in. measurement may be shown as 300 mm rather than 304.8 mm.

Soft conversions do not need to be identified as such.

12 Records retention

Records shall be prepared and maintained to provide evidence of compliance with ASC MHC general procedures, committee specific procedures and Essential Requirements.

Records concerning new, revised or reaffirmed American National Standards shall be retained for one complete standards cycle, or until the standard is revised.

For any new, revised or reaffirmed American National Standards maintained under the continuous maintenance option, Committees shall retain records for a minimum of five years or until approval of the subsequent revision or reaffirmation of the complete standard.

Records concerning withdrawals of all American National Standards and discontinuation of projects shall be retained for at least five years from the date of withdrawal or for a duration consistent with the ANSI audit schedule.

13 Patent policy

ASC MHC adopts and will adhere to the ANSI Patent Policy as outlined in 3.1 of Essential Requirements.

13.1 Notice

If the MHI Standards Administrator receives information that a patent or intellectual property claim may be involved in a standard being developed, the requirements in Essential Requirements shall be followed and the proper notifications shall be included in the document prior to publication.

13.2 Responsibility for identifying patents

Committees developing standards under MHI shall exercise due diligence when requiring provisions for which a license may be required because of patent rights. MHI, and in turn ANSI, shall not be responsible for identifying all patents for which a license may be required by an American National Standard or for conducting inquiries into

the legal validity or scope of those patents that are brought to its attention. A disclaimer shall be included in the standard as necessary.

14 Commercial terms and conditions

ASC MHC adopts and will adhere to the Commercial Terms and Conditions requirements set forth in the *ANSI Essential Requirements*.

Annex A MH1 committee specific procedures

A.1 Criteria for maintaining active voting member status

To maintain active voting member status (P status), members shall provide a response to two out of four consecutive ballots and attend at least one out of three consecutive annual meetings. Members not meeting this requirement will be moved to observer (O) status. For ballots, abstentions count as a response. Multiple ballots sent together or within the same day count as one ballot. When the next vote or meeting could endanger a P member's status, the MHI Standards Administrator shall include a clear notice to that member at the top of the ballot or call to meeting.

Members in O status can be moved to P status by sending a request to the MHI Standards Administrator noting reasons for their interest and a pledge to participate in future balloting. The MHI Standards Administrator shall then consult with the officers to determine if the status may be changed.

A.2 Nomination of officers

MH1 officers serve on a calendar year basis. At least every three years and upon officer vacancies, a three person nominations committee shall be developed at the annual meeting of MH1 to develop a slate of officer nominations. The three persons shall be from three different interest categories. Those nominations will be presented to the full MH1 committee in a letter ballot no later than September 1 along with a call for additional nominations. Balloting shall take place no later than October 15.

If at any point the committee has no officers, the MHI Standards Administrator will appoint an acting chair to hold office until nominations and election can take place.

A.3 Primary unit type

The primary unit type for MH1 standards should be U.S. customary (inch-pound) units, followed by their SI equivalent.

A.4 Interest categories

The interest categories for the MH1 committee membership is as follows:

<u>Category</u>	<u>Description</u>
AD - Distributor	Those independently concerned with the marketing of the product between producer and consumer
AF – General Interest	Educators, individuals from a technical society or other society and public interest persons
AI – Laboratory	A national laboratory or an organization furnishing testing and examination services
AS – Producer/ Manufacturer	Those directly concerned with the production of the product involved
AT – Regulatory/ Government	Government employee using the standard but not producing a product
AV - Services	Consultants using the standard to provide a service
AW – User	Those who use the product involved but are not involved with its production or distribution

Annex B MH10 committee specific procedures

B.1 Criteria for maintaining active member voting status

Active (P) or Observer (O) member voting status may be requested by new members when being considered for MH10 membership. Current active members may move to observer status by providing notice to the MHI Standards Administrator and receiving acknowledgement that the change has been registered. Requests to change from observer to active voting status requires committee approval by ballot, except when previously active members have been administratively moved to observer status as the most recent status change (see below).

To maintain active voting member status (P status), members shall provide a response to two out of four consecutive ballots. Abstentions count as a response. Multiple ballots sent together or within the same day count as a single ballot for the purposes of member status review. When a lack of response to the next ballot could endanger an active member’s voting status, the MHI Standards Administrator shall supply a clear notice to that member and seek acknowledgement of the notice by multiple communication means (e.g. mail, phone, email). Active members that do not meet these requirements will be administratively moved to observer (O) status.

Members in observer status may be moved to active status by sending a request to the MHI Standards Administrator noting reasons for their interest and a pledge to participate in future balloting. Upon meeting the participation requirements specified above, an observer may administratively be moved to active status. Ballot responses provided by the observer member prior to achieving active status will not count as part of the committee’s tally.

B.2 Nomination and election of officers

The chair and vice-chair are nominated by the MHI Standards Administrator from the individual members or representatives of the consensus body, subject to approval by majority vote of the consensus body. MH10 officers do not have fixed terms.

B.3 Primary unit type

The primary unit type (when applicable) for MH10 standards shall be SI units, followed by their U.S. customary (inch-pound) units equivalent.

B.4 Interest categories

The interest categories for the MH10 committee membership is as follows:

<u>Category</u>	<u>Description</u>
User	Corporate or individual end users or associations of end users of the specific product or family of products within the scope of MH10 standards.
Producer	Manufacturer or association of manufacturers of the specific product or family of products within the scope of MH10 standards.
Government	Regulatory, legislative or judicial entities at the federal, state or local levels.
General Interest	In general, if a company or organization does not fit into one of the above categories, they are considered “General Interest”. This category typically includes, but is not limited to testing laboratories, educational institutions, consultants, integrators, insurance, labor, etc.